

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

BRIAN WILLIS,)	
)	
Plaintiff,)	
)	
v.)	17-cv-3297
)	
TARRY WILLIAMS, MICHAEL LEMKE,)	Honorable Steven M. Seeger
NICHOLAS LAMB, JAMES LOUCH,)	
TROY JOHNSON, CLARENCE WRIGHT,)	
AND DR. SALEH OBAISI,)	
)	
Defendants.)	

**PLAINTIFF AND DEFENDANTS' JOINT MOTION
TO CONTINUE THE TRIAL DATE**

Plaintiff and Defendants, by and through their attorneys, move to continue the trial to a date in February 2024 that is agreeable to all parties and the Court, and to modify the deadlines for the Final Pretrial Order and Motions *in Limine* accordingly. In support of their Motion, the parties state the following:

1. This is a prisoner litigation lawsuit in which Plaintiff alleges Defendants violated his constitutional rights and negligently injured him. He is represented *pro bono* by court-appointed counsel.
2. On March 23, 2023, this Court entered Minute Entry No. 202 setting the case for trial on January 8, 2024. The Minute Entry also set the following deadlines:
 - a. The Final Pretrial Order is due December 1, 2023.
 - b. Motions *in Limine* are due December 1, 2023.
 - c. Responses are due by December 15, 2023.

3. Plaintiff and Defendants seek to continue the trial for three reasons. First, the parties have re-engaged in settlement discussions and prefer to attempt out-of-court resolution before devoting time and resources to preparing for trial. If the Court grants this Motion, they will use the additional time to discuss settlement.

4. Second, on November 1, 2023, one of the attorneys of record for Defendants resigned from the Office of the Attorney General.

5. Third, counsel for Plaintiff has been engaged in constant trial preparation and trial since June 2023 in the Circuit Court of Cook County due to aggressive trial date scheduling intended to clear the post-pandemic backlog of cases, including a three-week trial that began November 13, 2023. Consequently, counsel for Plaintiff has been unable to devote his preferred amount of time to completing the Final Pretrial Order and Motions *in Limine*.

6. On July 17, 2023, counsel for Plaintiff began a three-week medical malpractice trial captioned *Estate of DeBonnett v. The University of Chicago Medical Center et al.*, docket no. 2020-L-3097.

7. On September 8, 2023, counsel for Plaintiff was scheduled to begin a four-week product liability trial captioned *Bradford v. Modula, Inc.*, 19-L-10541. The case settled immediately before trial.

8. On October 15, 2023, counsel for Plaintiff was scheduled to begin a four-week premises liability trial captioned *Estate of Jenkins v. CPO Hospitality, LLC*, docket no. 18-L-13273. The case settled immediately trial.

9. On October 20, 2023, counsel for Plaintiff was scheduled to begin a three-week construction trial captioned *Estate of Bialas v. Focus Construction, Inc. et al.*, docket no. 18-L-13752. The case settled immediately before trial.

10. On November 13, 2023, counsel for Plaintiff began a three-week construction trial captioned *Hoadley v. Focus Construction, Inc. et al.*, docket no. 18-L-12017.

11. No party will be prejudiced by this brief extension, which is made in good faith and not for the purpose of undue delay.

WHEREFORE Plaintiff and Defendants ask this Court to grant this Motion and continue the trial to a date in February 2024 that is agreeable to all parties and the Court, and to modify the deadlines for the Final Pretrial Order and Motions *in Limine* accordingly. The parties further ask for any other relief this Court deems reasonable and just.

Respectfully submitted,

LIPE LYONS MURPHY NAHRSTADT & PONTIKIS LTD.

By: /s/ Jordan M. Tank
Jordan M. Tank (ARDC #6304122)
Attorneys for Plaintiff Brian Willis
Lipe Lyons Murphy Nahrstadt & Pontikis, Ltd.
230 West Monroe Street, Suite 2260
Chicago, IL 60606
jmt@lipelyons.com

Office of Attorney General

James A. Robinson
JAMES A. ROBINSON
Assistant Attorney General
Government Representation Division
Office of the Illinois Attorney General
100 West Randolph Street, 13th Floor
Chicago, Illinois 60601
(773) 758-4600
james.robinson@ilag.gov